

### **Detailed Action**

#### **Papers received**

1. Priority papers have been received.
2. The Information Disclosure Statement filed 9/25/06 is acknowledged, but not cited in this action.
3. The International Search Report under 371P filed 6/15/06 is acknowledged, but not cited in this action.

#### **Claims**

4. The claims are: 1 to 14.

#### **Election/Restriction of Invention**

5. Restriction is required under 35 U.S.C. 121 and 35 U.S.C. 372.

This application contains the following inventions or Groups of inventions not so linked as to form a single general inventive concept under PCT Rule 13.1.

- *Group I* - claims 1 and 10 drawn to magnetic glass disk media classified in class 428 subclasses 846.4
- *Group II* - claims 11 to 14, drawn to a method of immersion coating manufacture classified in class 427 subclass 435.1.

5. The inventions listed as *Group I* and *Group II* do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

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- The recording media of *Group I* does not require the three alkali nitrate mixture required to practice the manufacture method of *Group II*.
- The corresponding special technical feature shared by *Group I* and *Group II*, a tensile stress layer, does not define a contribution over the art as evident from **Ozawa et al** (JA 10198942) specified as present in the prior art at Abstract Ins 3, 4, 19 and 24.

6. Examining all inventions together would be a burden to examination because the inventions have been shown to be classified in differing areas and because the classified patent search and search strategy for the *Group I* invention is not coextensive with the *Group II* invention; the tensile stress layer may be added by lamination and art pertinent to the coating process of *Group II* would not likely be relevant to the magnetic media of *Group I*.

7. In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

8. A telephone call was made to, on 10/22/08 to Alan J. Kasper to request an oral election to the above restriction requirement, but did not result in an election being made.

9. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in

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the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

## **Conclusion**

10. The claims are to 1 to 14.

- Restriction has been required.
- No claim has been examined on the merits.
- Information Disclosure Statement has been received.

## **Inquires**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis Falasco, whose telephone number is (571)272-1507. The examiner can normally be reached on M-F 10:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol D. Chaney, can be reached at (571)272-1284. The fax phone number for the organization where this application or proceeding is assigned is 703- 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business

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Center (EBC) at 866-217-9197 (toll-free).

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11/08

/Louis Falasco/

Examiner, Art Unit 1794

/D. Lawrence Tarazano/

Supervisory Patent Examiner, Art Unit 1794